

### **REMARKS**

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested. Claims 22-25, 29-32, 36-39 and 41-43 are amended without prejudice or disclaimer. Unless otherwise specifically addressed below, the claim amendments are made for consistency and clarification purposes and not for patentability.

#### **Rejection of Claims 30-32 Under 35 U.S.C. §101**

The Office Action rejects claims 30-32 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Assignee has amended claims 30-32 to recite further limitations therefrom a non-transitory computer-readable media storing an animation of an object generated according to a process. The Office Action on page 3 asserts that the reference to “animation” is a pure data structure and does not define any structural or functional interrelationships between the data structure or other claimed aspects which permit the data structures functionality to be realized. In this case, the amendment to the claim utilizes the standard “non-transitory” computer-readable media language which represents a physical storage medium and is therefore statutory. Accordingly, the rejection of claims 30-32 should be withdrawn.

#### **Double-Patenting Rejections**

The Office Action rejects claims 22-25, 29-32, and 36-43 provisionally on the ground of non-statutory obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 6,654,018. Assignee includes herein a Terminal Disclaimer with the requested corrections. Accordingly, the attached Terminal Disclaimer is acceptable.

CONCLUSION

Having addressed all rejections and objections, the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. If necessary, the Commissioner for Patents is authorized to charge or credit the **Novak, Druce & Quigg, LLP, Account No. 14-1437** for any deficiency or overpayment.

Respectfully submitted,

Date: February 4, 2011

By:  \_\_\_\_\_

Correspondence Address:  
Customer No. 83224

Thomas M. Isaacson  
Attorney for Assignee  
Reg. No. 44,166  
Phone: 410-286-9405  
Fax No.: 410-510-1433